

SIDE EVENT REPORT

READING THE ESCAZÚ AGREEMENT FROM A GENDER PERSPECTIVE CHALLENGES AND OPPORTUNITIES



April 20, 2022

“Reading the Escazú Agreement from a gender perspective: challenges and opportunities”

Tuesday April, 19 2022 - 10.30 to 12h (CHI)

This event was intended to be a space for regional debate with women from Latin America and the Caribbean to identify entry points so that, within the framework of Escazú, decisions are made that contribute to the progressiveness of women's access rights with an intercultural and intergenerational approach.

It sought to answer three questions: what challenges do women face to exercise each right of access? What changes need to be made to remove these barriers? And what capacities have to be created or strengthened for that to happen?

Panelists:

Itza Castañeda (México)

Valeria Berros (Argentina)

Belén Paez (Ecuador)

Vanessa Torres (Colombia)

Aracelly Jiménez Mora, mollusk gatherer (Costa Rica)

Rosa Benítez Espínola, park ranger (Paraguay)

Claudia De Pinho, representative of traditional Pantaneiras communities (Brazil)

Closing remarks: Liliana Jauregui (IUCN Netherlands)

Moderation: Ana Di Pangracio (FARN) and Amelia Arreguin (Eco Maxei)

Organisers: Fundación Ambiente y Recursos Naturales (FARN) and Eco Maxei AC

Co-conveners: Defensoras de la Pachamama and Fundación Pachamama

With the support of: IUCN Netherlands

Visual facilitation: Tamara Kostetsky for @tamvisual

Simultaneous interpretation: Speziali Communications

EVENT RECORDING: [HERE](#) and [HERE](#)

MORE INFORMATION: [HERE](#)

COP 1 Official webpage: <https://acuerdodeescazu.cepal.org/cop1/es>

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TRAINING PROCESS ANNOUNCEMENT

The meeting included a brief announcement about a Training in Environmental Citizenship for Women Defenders, a training process dedicated to women from Latin America and the Caribbean to exercise their rights of access; and share experiences and learning with each other as input to integrate the gender perspective in the implementation of the Escazú Agreement, promoting the direct participation of these women in the treaty processes. This training, coordinated by FARN and Eco Maxei, is possible thanks to the kind support of IUCN Netherlands, in coordination with Defensoras de la Pachamama and Fundación Pachamama. More information is coming soon on FARN and Eco Maxei social networks and websites.

KEY MESSAGES FROM THE SIDE EVENT

Panel one - Access rights and gender perspective

1.1 GENDER-BASED VIOLENCE AND ENVIRONMENT

Itza Castañeda - Mexico

Gender-based violence and the environment is an issue that, in the context of the Escazú Agreement, is of primary importance to be addressed from a gender perspective.

In terms of this gender violence, the nature of complex violence occurs in contexts of access and control over natural resources, pressures and threats such as climate change, natural disasters, and what we call environmental action to defend and conserve ecosystems and resources.

In a report with case studies from different parts of the world on the environment and gender violence ([IUCN-USAID, 2020](#)), before the adoption of the Escazú Agreement, common denominators were identified on this issue, despite the different social contexts, economic, political and religious. A common denominator is that gender inequality is pervasive in all contexts. Another denominator is that national and customary laws, social norms and traditional gender roles dictate just who can access and control resources, often resulting in the marginalization of women compared to men.

In Latin America and the Caribbean (LAC), structural inequality in access to resources is mainly due to land tenure. When we look at the types of gender-based violence linked to land tenure and access to resources, they are not fully understood and documented. There are different types of violence, physical and economic, social and cultural, which arise from this structuring axis: access to resources based on ownership.

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In LAC, gender-based violence is a means of systematic control to enforce and protect existing privileges around natural resources. This means that power imbalances are maintained, occurring from the macro, and community levels, even in the home.

We call these gender inequalities the violence of inequality. Inequality itself is violent.

Unfortunately, since the study mentioned above was carried out, an increase in attacks on women has been documented. Inequality has increased since COVID-19, not only in poverty, but in the environment as well, which includes a more significant degradation of natural resources (forests, water). Also concerning, climate migration is not recognized or has a legal framework to address the violence that women suffer due to the displacement of large masses of people due to climate change.

Violence against women defenders includes intimidation, surveillance, sexual violence, and criminalization. In addition, greater violence against the indigenous population has been documented.

The elimination of funds for the protection of human rights defenders, reparation and comprehensive assistance and other related not only contravenes the obligations in terms of protection of environmental human rights and their defence as mentioned in the Escazú Agreement but also means that the financial resources that sustain the State to meet these obligations are eliminated.

We cannot read the Escazú Agreement in isolation from other women's human rights frameworks. We have to read them as a whole.

Gender violence manifests itself in absolutely all environmental issues. We have to empower the Escazú Agreement and make it an anchor to move forward.

1.2 ACCESS TO INFORMATION

Valeria Berros - Argentina

The existing inequality is evident in environmental suffering, territorial inequalities, and activisms crossed by the gender perspective. In this sense, Escazú becomes a vital space to strengthen and strengthen the different accesses.

When we think about the implementation of Escazú and the process that is beginning to take place, first of all, we must think about what are the existing procedures in the internal legal systems of each of the countries that are beginning to implement it, as well as, what are the obstacles that are identified and that can be directly linked to the gender issue.

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Ask what the voice of women will be in the institutional designs that necessarily have to be strengthened in the face of the implementation of Escazú. It is essential to take this into account since these spaces will allow, to a greater or lesser extent, to strengthen environmental information and its accessibility.

We have the issue of producing information from a gender perspective, a significant challenge that makes this issue visible for the deepening of that look. When we produce environmental information, how do we go through the gender perspective in that production process? In my opinion, it could give content to the challenges that Escazú poses.

Regarding the changes that should be generated to eliminate the barriers to access to information, one could think of two main axes: critically organizing the existing data, that is, looking at that information from the idea of the barriers linked to gender inequalities. And on the other hand, it strengthens access to information by asking trigger questions. If we have knowledge in the different countries and territories about what percentage of access to information is carried out by women, one of them maybe. This data allows us to think about some questions and graph the access to information that women can effectively carry out. Another question that we can ask ourselves is whether we know the existing difficulties for access to information, both in territorial order, access to institutions, presentation of access to information, and how the perspective of gender also crosses this.

An exciting task at this time of implementation of Escazú is to identify the institutional spaces and the articulation between these spaces linked to environmental and gender issues. It is essential to see how to incorporate the movements and voices of women so that these capacities can strengthen the implementation process of Escazú.

At the same time, see the role of the scientific and technological system, building bridges between the environmental issue and the gender perspective. This data production always strengthens the possibility of thinking about how to generate greater access to information. In access to information, extension projects' role in various institutions in the different countries of Latin America and the Caribbean is essential. Today they may even have a responsibility for the implementation of Escazú.

1.3 ACCESS TO PARTICIPATION

Belén Paez - Ecuador

We trust that in the horizon of the next 5-10 years, the Escazú Agreement and other related policies (for example, to reduce deforestation, among others) can be powerful tools for the region, to strengthen the participation of women in the extent to which social movements and

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rural and indigenous women's groups can participate more widely in communities and cities, in public policy.

The generation of capacities and necessary actions are needed to participate in the monitoring of environmental policies. Also, participate in designing regulations on human rights, the environment, the rights of nature and climate change. Participation implies more access within public spaces to invite women's and indigenous peoples' movements to participate in the design of these general policies.

Although there have been changes in recent years, the naturalization of gender roles limits women and girls to being passive agents of their communities and dedicating themselves to housekeeping tasks without participating in public space. The most remarkable disparity ranges are observed in political empowerment and participation in the legislative design and decision-making spaces.

There needs to be greater coherence between advances in women's rights and gender equality with those related to climate change and environmental protection. These aspects cannot be seen separately, but their integration must be promoted.

50% of the world's population are women, so the limitations on access to public participation in environmental and climate matters are equivalent to combating the crisis with half humanity's capacity.

Data indicates that women in rural areas and indigenous women have less and less access to decision-making spaces and are increasingly impoverished and impacted by pollution and extractive activities in their territories. We need to influence so that there is greater participation of women in designing public policies and environmental regulations and increasing their capacity to be incorporated in the monitoring and evaluation of projects in the territory.

Gender mainstreaming and intersectionality to guarantee the equal participation of women in environmental governance exist. In recent years, efforts have been made to implement the so-called gender perspective in environmental public policies, which is a long process with many challenges. But we have confidence. Movements of peasant women, women from the Andes, of Amazonian women have created a robust social pact that advances the incidence of public policies.

1.4 ACCESS TO JUSTICE Vanessa Torres - Colombia

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The Escazú Agreement recognizes the need for States to guarantee access to judicial and administrative authorities in environmental matters. The barriers for women to access environmental justice can be reflected in identifying the impacts that social and environmental conflicts have on women, which is often not evidenced from a judicial setting.

The Escazú Agreement speaks of the importance of generating evidence of environmental damage, preventive measures and other judicial figures to protect fundamental rights. Women have important roles at the community level that often make it difficult for them to lead these actions of judicial activism.

Several changes need to be made to remove barriers. In the first place, put an end to the limitations to access to environmental justice, from the strengthening of competent state bodies, with access to specialized knowledge in environmental matters, practical, public, timely and cost-free procedures that integrate a different approach that recognizes the impact that a socio-environmental conflict has on the women who inhabit a territory. Second, the critical analysis of development portfolios is an example of an external view of the territory of how it is organized without considering the role of the communities. Third, the strengthening of community feminist leadership, which is a reasonably advanced process, must transcend public policy scenarios.

The Escazú Agreement builds and is built around a collaborative space at the regional level that leads us to strengthen the community feminist leadership that already exists. The Agreement must lead us to make these leaderships visible in the implementation of the articles of the Agreement towards the construction of public policies in our countries.

The Agreement was built by women from Latin America and the Caribbean who participated in the entire process. This opens an exciting scenario to ensure that the gender approach is considered.

The opening to a substantive discussion on the incorporation of social, economic, cultural and gender characteristics of the communities that defend the territories in the national regulatory framework is also a scenario of opportunity that the Escazú Agreement offers us, and that is also done in joint construction with the experiences in the different countries of the region.

Compelling scenarios of environmental sanction, compensation, and dissemination of administrative and judicial decisions must be promoted by strengthening judicial instances' capacities and tools at the national level. There is a gap in the complete understanding of an impact, a socio-environmental conflict, and the different dimensions that must be addressed to achieve a restorative scenario or the most appropriate scenario for the communities.

We must promote the socialization of information regarding all judicial procedures. This is one of the significant barriers, and the Escazú Agreement proposes an advance in this sense.

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Escazú integrates different tools to combat the climate crisis (e.g., early warning systems), a crisis that undoubtedly has a specific impact on women. It is interesting how the Agreement comes to cover a regulatory vacuum in different countries of the region.

Panel two - Defenders from the territories

2.1 Aracelly Jiménez - Mollusc gatherer from Costa Rica

From Costa Rica, together with the Network of Marine Areas for Responsible Fishing, we have remained active in the fight for our rights as women fisherfolks and mollusc gatherers. We have the right to work in our mangroves sustainably and respectfully. We have the right to access our territory, which has been violated by a foreign private company that pollutes the mangroves, and the State has done nothing to prevent this.

The mangroves are our source of employment. We have tried to make a change so that the work carried out by women fishers and mollusc gatherers throughout the different value chains of small-scale artisanal fishing are recognized. Demand the exercise of our right to decent work, the right to health and a healthy environment, which has been violated.

Our voice must be heard. Our work and collective action as an organization is promoted, supported and valued through adequate social development conditions.

They must work in the communities with the women directly and strengthen our capacities and the information we receive to fight together in favour of identity and our territory to conserve our resources.

Attention should be paid to conservation benefit-sharing issues. Most people who live in the mangroves do not know how to do anything other than extract or fish. Organizations or local governments cannot carry out conservation without the people and in conditions of poverty. The traditional knowledge of the people who live in the communities must always be considered. If we conserve but don't have the people, the people will starve.

We are rich in resources, but they must value our work. The markets must be fairer when they receive our products.

2.2 Rosa Benitez, Paraguayan Park Ranger

The Escazú Agreement will benefit us so that we can have the precise environmental information to defend natural resources.

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We have to spread these agreements because it is an agreement of vital importance and especially for the park rangers.

The Ybycui National Park in Paraguay, where I work, is an essential area for tourism. We receive visitors, and we educate them so that they can also take care of the park.

We are convinced that we have to work with all sectors, but lately, we believe children can help a lot with conservation. Their training is spectacular because we allow them to defend their park.

Environmental protection will be increasingly difficult, so we are strengthening it through the children. We need allies in each of the houses to protect the area.

We have experience with women with whom we are working in the park so that when tourists come, they can sell their products within the protected area in the summer season. They feel part of the park. It is an opportunity to defend him so that they can sustain themselves.

We need clear procedures, guidelines and laws regarding the protection of natural resources. Protected areas play a crucial role in this regard. We need forests, water, and wildlife so that nature can also continue with its processes.

2.3 Claudia De Pinho - Traditional Pantaneiras communities

The Pantanal, considered one of the most extensive wetlands globally, is primarily managed and used by women. The role of women in the traditional Pantanal communities is of great importance. They are women who know their territories and face the challenges of having a balanced environment for current use and future generations.

In addition to the family environment, the women contribute to various activities using the Pantanal environment for healing (medicinal plants), the search for food (fruits) and the spiritual aspect that contributes mainly to the balance that the Pantanal environment needs.

In 2020 and 2021, the Pantanal suffered forest fires that greatly impacted women. Many women do not know their territory after the passage of the fire. When they do not find medicinal plants because of the fire, they must look for other means that they were not used to before, such as going to the public health system.

Women are in a situation of vulnerability due to various activities. The Escazú Agreement reinforces that it is necessary to discuss the protection of environmental defenders. The Agreement must be addressed with a gender approach, which will recognize the struggle of the women of the Pantanal in environmental issues so that this large wetland area is managed by people and with people.

